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Letter dated 15 June 2000 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have been instructed by my Government to transmit its views on your report of 6 June 2000 on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2000/538).

Notwithstanding its scope and volume, the report makes no mention in any of its sections of the principal provisions of Security Council resolution 1244 (1999) of 10 June 1999 regarding the sovereignty and territorial integrity of the Federal Republic of Yugoslavia (tenth preambular paragraph and para. 8 of annex 2);

Four overriding tendencies characterize the concept of the report:

(a) Selectivity, reflected in the selection of "successes" achieved by the United Nations Interim Administration Mission in Kosovo and in the implementation of Security Council resolution 1244 (1999);

(b) Bias in the appraisal of the situation in Kosovo and Metohija, in particular of the security situation, whereby security for the Albanian population is accentuated and the lack of it for the Serbian population is marginalized;

(c) Generalization of the problems facing the Serbian population;

(d) Absence of criticism and condemnation of those responsible for the violence against the remaining Serbs and other non-Albanians;

The report obfuscates the true situation in Kosovo and Metohija; its many details serve to create an impression of a complex process of stabilization and to cover up the failure to implement Security Council resolution 1244 (1999);

Attacks and other forms of violence which "appear to be orchestrated" against Kosovo and Metohija Serbs are dealt with in paragraphs 21, 22 and 23. Yet the perpetrators are not condemned and called to account, while the responsibility of ethnic Albanian leaders is not highlighted. No mention is made of the failure of the Kosovo Force (KFOR) and UNMIK to provide a secure environment;

The question of the situation in southern Serbia is raised in paragraph 24 without authority. It is apparently aimed at projecting a picture of an alleged

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threat to Kosovo and Metohija by Serbia. A new subject, the so-called Liberation Army of Presevo, Medvedja and Bujanovac (UCPMB), is introduced as "an armed ethnic Albanian group", and not as a terrorist organization, engaged in "occasional armed clashes with Yugoslav security forces". In the context, the question is also raised, without authority, of finding a political solution for the part of the sovereign territory of the Federal Republic of Yugoslavia and its constituent Republic of Serbia;

The question of missing persons and detainees is raised in paragraphs 53 and 124 (section XI, Observations), accentuating the issue of Albanians detained in Serbia proper. The calling upon Member States to contribute to their release is an invitation to interfere directly in the internal affairs of the Federal Republic of Yugoslavia and to exert pressure upon the legal and judicial systems of its constituent Republic of Serbia. Conversely, no mention is made of the existence of labour camps in which ethnic Albanian terrorists detain the Serbs of which the Government of the Federal Republic of Yugoslavia informed the Security Council and the Secretary-General in its memoranda of 4 April 2000 and 7 June 2000. Also, UNMIK has kept in detention without a legal basis over 450 Serbs and has prevented the International Committee of the Red Cross or any other non-governmental organization from visiting any of over 940 Serbs and other non-Albanians abducted since the deployment of KFOR and UNMIK;

The question of mass graves is raised again in paragraph 55 with the invocation of large numbers, but without firm evidence to corroborate the claims;

The multi-ethnic concept of Kosovo and Metohija propounded in the report has been all but abandoned, which is particularly evident in the establishment of the judicial system in Kosovo and Metohija (para. 57). In that context, particularly dangerous are the preparations for the establishment of "a Kosovo war and ethnic crimes court" which in effect constitutes a new threat to the remaining Serbs (para. 60);

Scant attention has been accorded to the return of over 350,000 Serbs and other non-Albanians and, in that context, to the fact that KFOR and UNMIK have not fulfilled their obligation to create conditions for their safe return, which is of paramount importance for the forthcoming elections in Kosovo and Metohija;

Contrary to the contention in the report, the terrorist so-called Kosovo Liberation Army has not been demilitarized; instead, it metamorphosed into the armed wing of the ethnic Albanian narco-mafia, while the so-called Kosovo Protection Corps continues to terrorize and ethnically cleanse the Serbs and other non-Albanians in the presence of KFOR and UNMIK.

I take this opportunity to advise that UNMIK and KFOR have failed to carry out some of their main responsibilities provided by Security Council resolution 1244 (1999) and the Military Technical Agreement:

- Establishing a secure environment (para. 9 (c));
- Ensuring public safety and order (para. 9 (d));

- Conducting border monitoring duties (para. 9 (g)); and consequent failure to secure and control the international borders of the Federal Republic of Yugoslavia with Albania and Macedonia;

- Protecting and promoting human rights, in particular of Serbs and other non-Albanians (para. 11 (j));

- Permitting a number of Yugoslav and Serb military and police personnel to return to Kosovo and Metohija (para. 4, paras. 6 and 10 of annex 2, and para. 4 of the Military Technical Agreement).

In addition, your Special Representative in Kosovo and Metohija and Head of UNMIK continues to take decisions and publish regulations which increasingly detach Kosovo and Metohija from the Federal Republic of Yugoslavia and its constituent Republic of Serbia of which it is an integral part, in violation of the letter and spirit of Security Council resolution 1244 (1999) and the relevant documents.

It should be emphasized that the systematic violations of Security Council resolution 1244 (1999), pointed out also by the People's Republic of China and the Russian Federation, permanent members of the Security Council, and by some other States Members of the United Nations, of which no mention is made in the report, are detrimental to the initiation of the political process for the solution of the status of Kosovo and Metohija within the Federal Republic of Yugoslavia and its constituent Republic of Serbia (para. 11 (a)).

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Vladislav **Jovanovic**
Chargé d'affaires a.i.